

Applicant or Patentee: LARRY LOOMIS, DAVID TRUDIL, VINCENT FISCHETTI  
Serial or Patent No.: \_\_\_\_\_ Atty. Dkt. No. \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: THE USE OF BACTERIAL PHAGE ASSOCIATED LYtic ENZYMES TO PREVENT FOOD POISONING

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) AND 1.27 (c)) — INDEPENDENT INVENTOR**

As a below named inventor, We hereby declare that We qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled, described in

O I P E X  
JUL 13 2006  
PATENT & TRADEMARK OFFICE

- the specification filed herewith
- application serial no. \_\_\_\_\_, filed \_\_\_\_\_
- patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey, or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below.

- no such person, concern or organization
- persons, concerns or organizations listed below\*

\* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME New Horizons Diagnostics, Inc

ADDRESS 9110 Red Branch Road, Columbia, Maryland 21045-2014

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT CORPORATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_  
 INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT CORPORATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_  
 INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT CORPORATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate: (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and

that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

LARRY LOOMIS

NAME OF INVENTOR

VINCENT FISCHETTI

DAVID TRUDIL

NAME OF INVENTOR

NAME OF INVENTOR

Signature of Inventor

Signature of Inventor

Signature of Inventor

Date

Date

Date

Applicant or Patentee: New Horizons--- Lawrence Loomis, David Trudil, Vincent Fischetti  
Serial or Patent No.: \_\_\_\_\_ Atty. Dkt. No. \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: THE USE OF BACTERIAL PHAGE ASSOCIATED LYtic ENZYMES TO PREVENT FOOD  
POISONING

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) AND 1.27 (c)) — SMALL BUSINESS CONCERN**

I hereby declare that I am

(x) the owner of the small business concern identified below:  
 (x) an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN NEW HORIZONS DIAGNOSTICS CORPORATION

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18 and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled THE USE OF PHAGE ASSOCIATED LYtic ENZYMES TO PREVENT FOOD POISONING by inventors Lawrence Loomis, David Trudil, and Vincent Fischetti described in

(X) the specification filed herewith  
(Enter "X" if described in application)

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern

\* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities: (37 CFR 1.27)

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT CORPORATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate: (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Lawrence Loomis

TITLE OF PERSON OTHER THAN OWNER: President

ADDRESS OF PERSON SIGNING: 11374 Buckleberry Path Columbia Maryland 21044

SIGNATURE:

Witness: \_\_\_\_\_ Signed: \_\_\_\_\_

Witness: \_\_\_\_\_ Signed: \_\_\_\_\_  
Witness: \_\_\_\_\_ Signed: \_\_\_\_\_

Witness: \_\_\_\_\_ Signed: \_\_\_\_\_

Witness: \_\_\_\_\_ Signed: \_\_\_\_\_